

90087



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

5HE-12

AUG 17 1985

Certified Mail  
Return Receipt Requested

FORT WAYNE WATER,  
POLLUTION CONTROL PLANT  
2601 DWENGER AVE.  
FORT WAYNE IN 46803

Re: Wayne Reclamation and Recycling, Inc.

Dear Sir or Madam:

The United States Environmental Protection Agency (EPA) has documented the releases or threatened releases of hazardous substances, pollutants and contaminants at the above referenced site, and is planning to spend public funds to control and investigate these threatened releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 et seq., unless EPA determines that such action will be done properly by a responsible party. Responsible parties under CERCLA include the current and former owners or operators, and persons who generated the hazardous substances or were involved in transport, treatment, or disposal of them at the site.

Based on data we received during our investigation concerning the hazardous substances at this site, EPA has information that indicates that you and/or your firm may be a responsible party. Before the government undertakes necessary action at the site, we would like to know if you will voluntarily perform the work required to abate any releases or threatened releases of hazardous substances, pollutants, and contaminants from the site. You should be aware that under Section 107(a) of CERCLA, where the Agency uses public funds to achieve the cleanup of the hazardous substance, you may be liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the site, including investigation, planning and enforcement.

The EPA is currently planning to conduct the following studies at the above site:

1. Further investigation to identify the local hydrogeological characteristics, and define the nature and extent of soil, air, and surface water contamination at the site, and
2. Feasibility studies to evaluate possible remedial actions to remove or contain hazardous substances, pollutants, and contaminants at the site.

In addition to the above studies, other corrective measures may be necessary to protect public health, welfare or the environment. These corrective measures may include, but are not necessarily limited to:

1. Implementation of initial remedial measures e.g., securing the site to prevent contact with any potentially hazardous or toxic materials at the site and/or removal of contaminated material from the surface;
2. Designing and implementing the EPA approved remedial option for both the contaminated groundwater and soil;
3. Providing any monitoring and maintenance necessary after remedial measures have been completed.

EPA will consider an immediate offer from you to conduct the remedial investigations and feasibility studies (RI/FS) described above. You should notify EPA, in writing within 10 calendar days from the receipt of this letter, of your willingness to conduct or participate with other potentially responsible parties in the RI/FS. Otherwise, EPA will assume that you decline any involvement in the RI/FS and will proceed with the appropriate studies and any initial remedial measures needed to secure the site. EPA may later invite you to undertake the design and implementation of the selected remedy upon the Agency's completion of the RI/FS.

Your letter should indicate the appropriate name, address, and telephone number for further contact with you. If you are already involved in discussions with state or local authorities, engaged in voluntary action, or involved in a lawsuit regarding this site, you should continue such activities as you see fit; you should not interpret this letter to advise or direct you to restrict or discontinue such activities. You should report, however, the status of those discussions or that action in your letter. Please provide a copy of your letter to any other parties involved in those discussions.

Your letter should be sent to:

John Oaks (5HE-12)  
U.S. EPA - Region V  
HWEB - CERCLA Enforcement Section  
230 South Dearborn Street  
Chicago, Illinois 60604

EPA would like to encourage good faith negotiations between you and the Agency and among you and other parties potentially responsible for the site. So that you may schedule meaningful discussions with other potentially responsible parties regarding cleanup efforts, and quickly organize yourselves into a single representative body to facilitate negotiations with the Agency, we are enclosing a list of other potentially responsible parties which have been identified with the above referenced site. If you and other potentially responsible parties indicate a willingness to pursue the RI/FS as a group, a representative should be designated to negotiate with EPA.

The specifics of the RI/FS are scheduled to be incorporated into a workplan developed by EPA in approximately two months. Should your response indicate a desire to enter into negotiations, EPA will send a draft consent order and a copy of the workplan on which initial negotiations will be centered upon. A meeting will be scheduled to discuss the specifics of the consent order, including the workplan. It should be noted that EPA is not prepared to negotiate major modifications to the workplan.

In addition, EPA is seeking to obtain certain other information from you pursuant to its authority under Section 104 of CERCLA, 42 U.S.C. §9604, and Section 3007 of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. §6927, for the purpose of enforcing CERCLA and RCRA and for the purposes of assisting in determining the need for response to a release of hazardous substance(s) under CERCLA. The Administrator of the EPA has the authority to require any person who generates, stores, treats, transports, disposes, arranges for the disposal of, or otherwise handles hazardous wastes and hazardous substances, as those terms are defined in Section 1004(5) of RCRA, 42 U.S.C. 6903(5) and Section 101(14) of CERCLA, 42 U.S.C. 9601(14), to furnish the EPA with information related to such activities. Pursuant to these statutory provisions, you are hereby requested to submit the information requested below.

1. Copies of all shipping documents or other business documents relating to the transportation, storage and/or disposal of waste materials or substances at the above referenced site.
2. A detailed description of the generic common and/or trade name and the chemical composition and character (i.e. liquid, solid, sludge) of the waste material offered by you for transportation to, storage and/or disposal at the above referenced site.

3. For each hazardous substance identified above, please give the total volume, in gallons for liquids and in cubic meters for solids, for which you arranged disposal, and list when disposal occurred.
4. What arrangements were made to transport your hazardous substances to the above referenced site? What type of transportation was used (i.e. tankers, dump trucks, drums)?
5. Who was the transporter of your hazardous substances, what was his previous address, and what is his current address?
6. Copies of all records, including analytical results, and material safety data sheets, which indicate the chemical composition and/or chemical character of the waste material(s) transported to, stored or disposed of at the above referenced site or offered for transportation to, storage or disposal at the site.
7. A list and description of all liability insurance coverage that is and was carried by you including any self-insurance provisions, that relates to hazardous substances and/or the above referenced site and copies of all of these insurance policies.

To assist you in answering this request, the information sought pertains to any and all information in your possession, custody or control relating to the operation of the above referenced site and to the transportation, storage, and/or disposal of hazardous substances or the generation of hazardous substances which were ultimately disposed of or offered for disposal at the site. The relevant time period for this request is from 1955 through the present.

For purposes of this information request, "shipping documents" shall mean all contracts, agreements, purchase orders, requisitions, pick-up or delivery tickets, customs forms, freight bills, shipping memoranda, order forms, weight tickets, work orders, manifests, shipping orders, packing slips, bills of lading, invoices, bills and any other similar documents that evidence discrete transactions involving shipment, or the arrangement for shipment, of waste materials to, through, or from, the above referenced site. "Waste materials" shall mean hazardous substances, solid wastes and hazardous wastes, and other materials which may or may not contain pollutants or contaminants, and shall include reclaimed and off-specification materials of any kind.

The information sought herein must be sent to EPA within thirty (30) calendar days of your receipt of this letter. Under Section 3008 of RCRA, 42 U.S.C. 6928, failure to comply with this request may result in an

order requiring compliance or in a civil action for appropriate relief. These provisions also provide for civil penalties. Failure to comply with this request under Section 104 of CERCLA, 42 U.S.C. 9604 may result in a civil enforcement action being brought against you by EPA.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. You may request, however, that any such information be handled as confidential business information. A request for confidential treatment must be made when the information is provided, since any information not so identified will not be accorded this protection by the EPA. Information claimed as confidential will be handled in accordance with the provisions of 40 C.F.R. Part 2.

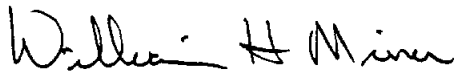

The written statements submitted pursuant to this request must be notarized and submitted under an authorized signature certifying that all information contained therein is true and accurate to the best of the signatory's knowledge and belief. Moreover, any documents submitted to Region V pursuant to this information request should be certified as true and authentic to the best of the signatory's knowledge and belief. Should the signatory find, at any time after the submittal of the requested information, that any portion of the submitted information is false, the signatory should so notify EPA. If any answer certified as true should be found to be untrue, the signatory can and may be prosecuted pursuant to 18 U.S.C. 1001.

Your reply to request for information under Section 104 of CERCLA and Section 3007 of RCRA should be considered separate and distinct from that relating to participation in response activities at the site. It should also be sent to the address listed above.

If you need further information regarding our information request, you may contact Nicholas Longo of our Hazardous Waste Enforcement Branch at (312) 886-6541, or if you have any legal questions, contact Mr. Michael Berman, Assistant Regional Counsel at (312) 886-6837.

Due to the nature of the problem at this site and the attendant legal ramifications, EPA strongly encourages you to submit a written response with the time frame specified herein. We hope that you will give this matter your immediate attention.

Sincerely yours,

  
Basil G. Constantelos, Director   
Waste Management Division

WAYNE RECLAMATION & RECYCLING, INC  
LARRY BROCKMAN  
P.O. BOX 467-DANIEL DRIVE  
COLUMBIA CITY IN 46725

STANADYNE DISTRIBUTION CENTER  
STANADYNE, INC.  
301 N. TAYLOR ROAD  
GARRET IN 46738

FREDERICK V. AND DORADEANE SALLOT  
54-A WHITLEY TRAILER COURT  
SOUTH WHITLEY IN 46787

KITCHEN QUIP, INC.  
407 E. MARION  
WATERLOO IN 46793

3M PAPER  
3M CENTER  
ST. PAUL MN 55244

FRANKE PLATING WORKS, INC.  
2109 E. WASHINGTON BLVD.  
FORT WAYNE IN 46803

GENERAL ELECTRIC COMPANY  
3135 EASTON TURNPIKE  
FAIRFIELD CT 06431

R.R. DONNELLEY & SONS  
OLD U.S. 30 WEST  
P.O. BOX 337  
WARSAW IN 46580

DANA CORPORATION  
4500 DORR STREET  
P.O. BOX 1000  
TOLEDO OH 43697

MC DOWELL ENTERPRISES  
2010 SUPERIOR  
P.O. BOX 846  
ELKHART IN 46515

ESSEX INTERNATIONAL, INC.  
UNITED TECHNOLOGY CORPORATION  
UNITED TECHNOLOGY BUILDING  
HARTFORD CT 06101

RIEKE CORPORATION  
500 W. 7TH STREET  
AUBURN IN 46706

UNIVERSAL TOOL AND STAMPING CO.  
MAIN & COMMERCE STREET  
P.O. BOX 100  
BUTLER IN 46721

CITY OF COLUMBIA CITY  
CITY HALL  
CHAUNCEY STREET  
COLUMBIA CITY IN 46725

ACTIVE PRODUCTS CORP.  
201 E. CHARLES STREET  
MARION IN 46952

CORNING GLASS WORKS  
P.O. BOX 437  
BLUFFTON IN 46714

BLUFFTON RUBBER CO., INC.  
P.O. BOX 255  
BLUFFTON IN 46714

CRANE EDMUND  
550 NORTH BWAY  
BUTLER IN 46721

BRODERICK CO.  
HARSCO CORPORATION  
P.O. BOX 2099  
MUNCIE IN 47302

DALTON FOUNDRIES, INC.  
P.O. BOX 1388  
WARSAW IN 46580

C AND R BARREL PLATING CORP.  
P.O. BOX 247  
COLUMBIA CITY IN 46725

DAYTON-WALTHER CORPORATION  
MUNCIE DIVISION  
P.O. BOX 2648  
MUNCIE IN 47303

CTS OF BERNE INC.  
406 PAR R ROAD  
BERNE IN 46711

DE PUY, INC.  
BOEHRINGER MANNHEIM CORP  
P.O. BOX 988  
WARSAW IN 46580

COLWELL INDUSTRIES, INC.  
P.O. BOX 329  
FORT WAYNE IN 46801

DOUGLAS DIVISION  
SCOTT & FETZER CO.  
141 RAILROAD STREET  
BRONSON MI 49023

COOPER INDUSTRIAL PRODUCTS  
P.O. BOX 271  
AUBURN IN 46706

E-SYSTEMS, INC.  
MEMCOR DIVISION  
1320 FLAXMILL ROAD  
HUNTINGTON IN 46750

EAGLE-PICHER PLASTICS DIV  
14123 ROTH ROAD  
GRABILL IN 46741

FRANKLIN ELECTRIC COMPANY, INC.  
402 EAST SPRING STREET  
BLUFFTON IN 46714

ELECTRIC MOTORS & SPECIALISTS,  
P.O. BOX 180  
GARRET IN 46738

FRUEHAUF CORP.  
LIQUID AND BULK TANK DIV.  
P.O. BOX 660  
FORT WAYNE IN 46801

ELKHART PRODUCTS CORP  
P.O. BOX 38  
GENEVA IN 46740

GENERAL TELEPHONE COMPANY  
8001 JEFFERSON  
FORT WAYNE IN 46801

EX-CELL-C CORP.  
MICRO PRECISION DIV.  
525 BERNE STREET  
BERNE IN 46711

GRIPCO FASTENERS DIVISION  
MITE CORP.  
111 EAST BROAD STREET  
SOUTH WHITELY IN 46787

EXACTO INC. OF SOUTH BEND  
1137 S. LAFAYETTE  
P.O. BOX 597  
SOUTH BEND IN 44624

HENDRICKSON TANDEM CORP  
BOLER INVESTMENTS INC.  
P.O. BOX 927  
KENDALLVILLE IN 46755

FORT WAYNE WATER,  
POLLUTION CONTROL PLANT  
2601 DWENGER AVE.  
FORT WAYNE IN 46803

HOLMES AND COMPANY  
807 EAST ELLSWORTH  
P.O. BOX 370  
COLUMBIA CITY IN 46725

FOSTER FORBES GLASS COMPANY  
NATIONAL CAN CORP  
P.O. BOX 249  
MAPION IN 46952

HUNTINGTON TOOL AND DIE  
9 COMMERCIAL ROAD  
HUNTINGTON IN 46750



INDIANA & MICHIGAN ELECTRIC CO.  
ONE SUMMIT SQUARE  
P.O. BOX 60  
FORT WAYNE IN 46801

LOCK JOINT TUBE COMPANY, INC  
1400 RIVERSIDE DRIVE  
P.O. BOX 239  
SOUTH BEND IN 46624

INDIANA AIR NATIONAL GUARD  
BAER FIELD  
FORT WAYNE IN 46809

MACMILLAN BLOEDEL, INC  
MARION, IN PLANT  
C/O MACMILLAN BLOEDEL LTD.  
PINE HILL AL 36769

INTERNATIONAL HARVESTER COMPANY  
2701 COLISEUM BLVD.  
P.O. BOX 596  
FORT WAYNE IN 46801

MAGNAVOX CONSUMER ELECTRONIC CO  
NORTH AMERICAN PHILIPS COMPANY  
4624 EXECUTIVE BLVD  
FORT WAYNE IN 46804

KERR GLASS MANUFACTURING CORP  
DUNKIRK IN 47336

MCGILL MANUFACTURING COMPANY, INC  
MILL STREET AND SR17  
CULVER IN 46511

KING-SEELY DIVISION  
301 WEST OHIO STREET  
KENDALLVILLE IN 46755

MCINTOSH CORPORATION  
U.S. 6 EAST AND SR 3  
KENDALLVILLE IN 46755

LARDEN CORP.  
BRISTOL CORP.  
1755 NORTH OAK ROAD  
PLYMOUTH IN 46563

MICHIGAN & WISCONSIN PIPELINE  
PORTLAND, INDIANA FACILITY  
C/O ONE WOODWARD AVE  
DETROIT MI 48226

LINCOLN MANUFACTURING COMPANY INC  
P.O. BOX 1229  
FORT WAYNE IN 46801

MYERS SEPTIC SERVICE  
ROUTE 3  
LIGONIER IN 46767

ONTARIO FORGE CORPORATION  
1200 WEST JACKSON STREET  
P.O. BOX 2757  
MUNCIE IN 47303

WABASH FIBRE BOX CO.  
WESTON PAPER AND MANUFACTURING CO  
FERGUSON ROAD , BAER FIELD  
FORT WAYNE IN 46809

PANHANDLE EASTERN PIPELINE  
PAULING ROAD  
MONROEVILLE IN 46773

WARNER GEAR DIVISION  
BORG WARNER  
5401 KILGORE AVE  
MUNCIE IN 47302

PHILIPS INDUSTRIAL COMPONENTS, INC  
STATE ROAD 75  
P.O. BOX 108  
ALBION IN 46701

WILLIAMS TOOL AND MACHINE CO, INC  
1160 FAHS STREET  
YORK PA 17404

PLASTI-MATIC  
PRECISION PLASTICS, INC.  
COUNTY ROAD 75, ERR#3  
ALBION IN 46701

WILLIAMS DIVISION  
ANVIL ATTACHMENT INC.  
10100 BRECKSVILLE  
BRECKSVILLE OH 44141

RACO , INC  
HARVEY HUBBEL, INC  
P.O. BOX 4002  
SOUTH BEND IN 46634

WOODALL  
10261 S. INDIAN LAKE BLVD  
INDIANAPOLIS IN 46236

REA MAGNET WIRE COMPANY, INC  
ALUMINUM COMPANY OF AMERICA  
P.O. BOX 6128  
FORT WAYNE IN 46896

WORLD COLOR PRESS  
CHEMICAL PLATE CORP.  
P.O. BOX 248  
EFFINGHAM IL 62401

SIBLEY MACHINE AND FOUNDRY CORP.  
206 EAST TUTT STREET  
P.O. BOX 40  
SOUTH BEND IN 46624

ZOLLNER CORPORATION  
2425 COLISEUM BLVD  
FORT WAYNE IN 46803

UNITED STATES POST OFFICE  
424 SOUTH MICHIGAN  
SOUTH BEND IN 46601